

Wetlands Bureau Decision Report

Decisions Taken
04/28/2003 to 05/02/2003

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

**2002-00870 NEW ENGLAND CONFERENCE UNITED METHODIST CHURCH, BO
MEREDITH Pemigewasset Lake**

Requested Action:

Install two 6 ft x 30 ft seasonal piers, connected by a 6 ft x 20 ft seasonal ramp in a "U" configuration, and replenish beach with no more than 20 cubic yards of sand on an average of 2,567 ft of frontage on Pemigewasset Lake, Meredith.

APPROVE AMENDMENT:

Install two 6 ft x 30 ft seasonal piers, connected by a 6 ft x 20 ft seasonal ramp in a "U" configuration, and replenish beach with no more than 20 cubic yards of sand on an average of 2,567 ft of frontage on Pemigewasset Lake, Meredith.

With Conditions:

1. All work shall be in accordance with plans by the applicant, as received by the Department on April 30, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
4. There shall be no changes to the two existing seasonal piers, one is 5 ft x 49 ft extending from a 5 ft x 62 ft pier in an "L" configuration the second is 4 ft x 16 ft.
5. These shall be the only structures on this water frontage and all portions of the docks shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
6. Seasonal piers shall be removed from the lake for the non-boating season.
7. No portion of the new piers shall extend more than 30 feet from the shoreline at full lake elevation.
8. No more than 20 cu yds of sand may be used and all sand shall be located above the normal high water line.
9. This permit shall be used only once, and does not allow for annual beach replenishment.
10. The applicant shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(d), construction of a major docking facility and Rule Wt. 303.02(o), replenishment of up to 20 cubic yards of sand on a non-residential beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has an average of 2,567 feet of frontage along Lake Pemigewasset.
5. A maximum of 34 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
6. The proposed docking facility will provide 11 slips as defined per Rule Wt 101.07, Boat slip, and therefore meets Rule Wt 402.14.
7. Public hearing is waived based on field inspection, by NH DES staff, on September 4, 2002, with the finding that the project impacts will not significantly impair the resources of Lake Pemigewasset.
8. DES Staff conducted a field inspection of the proposed project on September 4, 2002. Field inspection determined no evidence of potential erosion in the beach area. Existing docks had been removed for the non-boating season.
9. DES has determined relocation of the previously approved "U" shaped docking facility is the least impacting alternative.

-Send to Governor and Executive Council-

**2002-01497 ROBY, DAVID
LYME**

Requested Action:

Dredge and fill 33,393 square feet within palustrine forested wetlands for constructing a dugout wildlife pond that incorporates a variety of habitat types to increase overall diversity to the area. Work will include creating a seasonal stream, deepwater pond habitat, shallow marsh wetlands, beach/boulder/gravel bar habitat, nesting islands, as well as creating a vernal pool and a spring pond upslope from the main pond. Upon project completion and prior to the expiration of this permit, the applicant intends to place a permanent conservation easement on 8 acres of the property to ensure that the habitat is protected in perpetuity from development, construction of structures, and storage of vehicles or hazardous materials.

Conservation Commission/Staff Comments:

*In a letter dated 2/28/02, NHI stated that there are no known occurrences of sensitive species near the project area.

*In a letter received on 4/8/03, The Lyme Conservation Commission stated they have no concerns about the project.

APPROVE PERMIT:

Dredge and fill 33,393 square feet within palustrine forested wetlands for constructing a dugout wildlife pond that incorporates a variety of habitat types to increase overall diversity to the area. Work will include creating a seasonal stream, deepwater pond habitat, shallow marsh wetlands, beach/boulder/gravel bar habitat, nesting islands, as well as creating a vernal pool and a spring pond upslope from the main pond. Upon project completion and prior to the expiration of this permit, the applicant intends to place a permanent conservation easement on 8 acres of the property to ensure that the habitat is protected in perpetuity from development, construction of structures, and storage of vehicles or hazardous materials.

With Conditions:

1. All work shall be in accordance with revised plans by James S. Kennedy dated 04/08/03, as received by the Department on 04/08/03.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Wetland creation and enhancement areas shall be properly constructed, landscaped, monitored and remedial actions taken if necessary to create functioning wetland areas. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface and changing the hydraulic regime.
5. The permittee shall designate a qualified professional who will have the responsibility to ensure that the area is constructed in accordance with the revised plan, that monitoring is accomplished in a timely fashion, and remedial measures are taken if necessary. The Wetlands Bureau shall be notified of the designated professional prior to the start of work and if there is a change of status during the project.
6. The permittee shall conduct a follow-up inspection after the first growing season, to review the success of the area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial completion of the pond site.
7. Signs to indicate the location of and restrictions on the area shall be posted at appropriate locations along the boundary of the conservation area.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
9. Temporary construction/silt fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Work shall be done during low flow or periods of dry conditions. No dredging or filling shall be permitted from October 15 to April 15 of any year.
11. Discharge from dewatering of work areas shall be to sediment basins or created ponds that: a) provide sufficient freeboard to contain a 2-year frequency storm event; b) are lined with hay bales or other acceptable sediment trapping liners; c) are set back as far as possible from wetlands.
12. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Stone aprons shall be installed at the culvert outlets to protect from scouring and erosion.
15. Within seven (7) days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with hay or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The project is categorized as a Major Project per NH Administrative Rule Wt 303.02 (h), as the proposed pond will impact greater than 20,000 square feet of wetland.
2. In a pre-application meeting with the applicant's engineer/wetland scientist on 12/4/01, Wetlands Bureau staff conducted a site inspection of the property and found that the proposed pond project would not significantly impact the resources of the wetland area.
3. The proposed pond project will not only create open water habitat, but will also create shallow marsh and emergent wetlands, beach/boulder/gravel habitat, as well as nesting islands and vernal pools.
4. The project is considered to be self-mitigating as the proposed impacts to create additional wetland habitat types in the area will not remove existing functions and values from the resource.
5. Prior to the expiration of this permit, the applicant intends to place a permanent conservation easement on 8 acres of the property to ensure that the habitat is protected in perpetuity from development, construction of structures, and storage of vehicles or hazardous materials.
6. Public hearing is waived with the finding that project impacts will not significantly impair the resources of the forested wetland system.
7. Overall, the proposed pond and associated habitat types will create additional opportunities for fish and wildlife to utilize the area.

2002-01961 W/S EPPING LLC
EPPING Unnamed Wetland

Requested Action:

Amendment requested to add two impact areas (totaling 8,017 sq. ft.) for the installation of a sewer pump station and additional drainage improvements. The request also includes correcting the amount of impacts already included in permit 2002-128.

Conservation Commission/Staff Comments:

Cons. Comm. supported proceeding with the project.

Inspection Date: 09/25/2002 by Gino E Infascelli

APPROVE AMENDMENT:

AMEND the permit to read: Dredge 10,110 sq. ft. of emergent wetland to provide a positive flow at the toe of slope at the Rt. 101 west bound off ramp and fill approximately 37,692 sq. ft. of mostly emergent wetland to widen Rt. 125 and modify the drainage system.

With Conditions:

1. a. All work shall be in accordance with plans by Gorrill-Palmer Consulting Eng., Inc. dated June 2002 revised 9-26-02 and as received by the Department on September 26, 2002; and
b. In accordance with plans by Gorrill-Palmer Consulting Eng., Inc. Drawing #1, dated April 2002 revision 2 (3-7-03) and as received by the Department on March 21, 2003.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Cofferdams shall be entirely removed immediately following construction.
6. Construction equipment shall not be located within surface waters.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Exceptional precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites. All motorized equipment, which become in contact with the wetlands vegetation and soil, shall be washed prior to leaving the site with the intent as described in the previous sentence.
16. This permit is contingent upon the execution of a mitigation package suitable to the DES and commensurate to the level of proposed wetland impacts as outlined in the DES Wetlands Bureau letter to NH Soils, Inc. and dated September 30, 2002.
17. A copy of the deed shall be submitted to the DES Wetlands Bureau following the purchase of the mitigation property. The Wetlands Bureau shall be notified of subsequent transfers of the property to another entity or that has been retained for management purposes.
18. The conservation easements that may be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
19. Draft conservation easement language shall be submitted to the Wetlands Bureau and local Conservation Commission for review and approval.
20. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot and a copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to construction.
21. The conservation easement area shall be marked by stakes and signs indicating the location and restrictions of the area prior to construction.
22. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
23. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), alteration of more than 20,000 sq. ft. of non-tidal wetlands.
2. The additional impacts will allow the installation of a sewer pump station and the relocation of a ditch.
3. The correction of two impact areas previously counted as part of this application were already permitted at the driveway entrance for permit 2002-128.
4. The 34 acre Conservation Easement has been recorded and further mitigation for the additional impacts of 8,017 sq. ft. is not requested.

2003-00100 GRAFTON, TOWN OF
GRAFTON Smith River

Requested Action:

Dredge and fill a total of 10,600 sq ft along 190 linear ft of the Smith River, for the reconstruction of a red listed bridge further described as follows: Permanently impact 2550 sq ft of bank for the placement of rip rap for stabilization of the bank and

protection of new bridge abutments. Temporarily impact 4550 sq ft of wet meadow for the construction of a detour and installation of a temporary bridge to maintain traffic flow and temporarily impact 3500 sq ft for installation of turbidity curtains.

Inspection Date: 03/20/2003 by Jocelyn S Degler

APPROVE PERMIT:

Dredge and fill a total of 10,600 sq ft along 190 linear ft of the Smith River, for the reconstruction of a red listed bridge further described as follows: Permanently impact 2550 sq ft of bank for the placement of rip rap for stabilization of the bank and protection of new bridge abutments. Temporarily impact 4550 sq ft of wet meadow for the construction of a detour and installation of a temporary bridge to maintain traffic flow and temporarily impact 3500 sq ft for installation of turbidity curtains.

With Conditions:

1. All work shall be in accordance with plan figures 2 and 3 by HEB Engineers dated December 15, 2002, and received by the Department on January 17, 2003, and figure 1 by HEB Engineers dated March 17, 2003, as received by the Department on April 10, 2003.
2. The Town shall obtain easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2003-00100 prior to construction.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
5. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
6. Extreme precautions shall be taken to maintain the integrity of the wetland soils within the detour area.
7. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction.
8. Appropriate erosion and siltation controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Prior to commencing work on a substructure located within surface waters, temporary water diversion measures shall be constructed to isolate the substructure work area from the surface waters.
11. Temporary water diversion measures shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary water diversion measure is fully effective, confined work can proceed without restriction.
12. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
15. There shall be no excavation or operation of construction equipment in flowing water unless specifically authorized pursuant to Condition #3.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
19. Temporary water diversion measures shall be entirely removed immediately following construction.
20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

21. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the restoration area during the early stages of vegetative establishment.

22. A post-construction report documenting the status of the restoration area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

23. Upland riparian areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.

24. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

25. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on March 20, 2003. Field inspection determined the bridge is in need of replacement and the bank requires stabilization because it is currently being undercut by the river.

6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine ecosystem.

7. This project is to replace a deficient bridge within a public right-of-way. It is therefore in the public's best interest to approve this project.

8. The existing right-of-way for Steel Bridge Road can not be relocated due to the existence of a small public beach on the downstream side of the existing bridge.

MINOR IMPACT PROJECT

2000-02715 MARY HITCHCOCK MEDICAL CENTER
LEBANON Tributary To Mink Brook

Requested Action:

Request permit amendment to reconstruct approximately 10 ft of stone wall disrupted by permitted construction activity. Back fill and restore to original grade eroded channels. Place fill in a maximum of 2400 sq ft wetland area to create a positive slope.

Conservation Commission/Staff Comments:

In a letter dated January 26, 2001, the Lebanon ConCom recommended approval of the application with the following conditions:

1) the width of wetlands crossing must be reduced to 24 feet; 2) the roadway at the wetlands crossing must be reduced to 2 travel lanes; 3) the intersection with Hospital Loop Road must be changed from a "Y" type intersection to a "T" type intersection.

APPROVE AMENDMENT:

Dredge and fill approximately 4,590 square feet of palustrine forested wetlands to construct a roadway to access a parking facility, and fill approximately 100 square feet of palustrine forested wetlands to construct a pedestrian boardwalk. Reconstruct approximately 10 ft of stone wall disrupted by permitted construction activity. Back fill and restore to original grade eroded channels. Place fill in a maximum 2400 sq ft wetland area to create a positive slope.

With Conditions:

Amended Conditions:

1. All construction work shall be in accordance with the Wetland Crossing Plan by Pathways Consulting, LLC, dated January 2001 and revised May 16, 2001, as received by the Department on May 24, 2001; and the Boardwalk Plan by Pathways Consulting, LLC, dated April 4, 2001, as revised through April 2003 as received by the Department on April 25, 2003.
2. Work shall be conducted during low flow.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Dredged material shall be used within the restoration area or placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
5. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland restoration site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
6. Proper headwalls shall be installed.
7. The boardwalk shall be elevated such that no area under the boardwalk is completely shaded from the sun.
8. The boardwalk decking shall be of slatted construction to allow for light and water penetration.
9. Appropriate erosion /siltation/turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. This permit is contingent on approval by the DES Site Specific Program.
14. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
15. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the work areas during construction and during the early stages of vegetative establishment.
16. The wetland restoration area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
17. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
18. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.

With Findings:

Reaffirm Original Findings:

1. The project is categorized as a Minor Project, per Rule Wt 303.03(h).
2. The project is necessary to access a proposed parking facility.
3. The use of two 4-foot x 6-foot box culverts set at differing invert elevations will allow for both a "dry" and "wet" corridor for wildlife passage during normal conditions.
4. The applicant has sufficiently demonstrated that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
5. The applicant has adequately addressed the requirements for application evaluation identified in Rule Wt 302.04(a).

With the added finding:

6. This is a restoration of erosion which occurred during the original permitted construction.

-Send to Governor and Executive Council-

2002-00074

CAMPBELL, WAYNE

FARMINGTON Unnamed Stream Kicking Horse Brook

Requested Action:

Impact 1,080 square feet (192 linear feet) within the bed and banks of Kicking Horse Brook and fill 1,240 square feet of palustrine scrub-shrub wetland to install an access road serving a 65-unit cluster subdivision on 47.1 acres of land. To help mitigate the impacts for the proposed project, approximately 1,345 square feet (96 linear feet) within the bed and banks of Dames Brook will be restored by removing fill and culverts from a previously existing road crossing.

Conservation Commission/Staff Comments:

*Previous file #2001-0284 is closed.

*The Farmington Conservation Commission raised various concerns with the proposed subdivision - see letters in file for more detail.

APPROVE PERMIT:

Impact 1,080 square feet (192 linear feet) within the bed and banks of Kicking Horse Brook and fill 1,240 square feet of palustrine scrub-shrub wetland to install an access road serving a 65-unit cluster subdivision on 47.1 acres of land. To help mitigate the impacts for the proposed project, approximately 1,345 square feet (96 linear feet) within the bed and banks of Dames Brook will be restored by removing fill and culverts from a previously existing road crossing.

With Conditions:

1. All work shall be in accordance with plans and revisions by Norway Plains Associates, as received by the Department on 5/3/02 and 4/9/03.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Site Specific Program.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. The applicant shall notify DES and the local conservation commission in writing of their intention to begin construction no less than five (5) business days prior to the commencement of construction.
8. Orange construction fencing shall be placed at the limits of construction and clearing to prevent accidental encroachment on wetlands and associated buffers.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
10. Work shall be done during low flow.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. A post-construction report documenting the status of the completed project with photographs shall be submitted to the

Wetlands Bureau within 60 days of the completion of construction.

RESTORATION CONDITIONS:

17. This permit is contingent upon the restoration of approximately 1,345 square feet of Dames Brook in accordance with the revised restoration plan received on 4/9/03.
18. The schedule for construction of the restoration area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
19. The restoration area shall be properly constructed, landscaped, monitored and remedial actions taken when necessary to create functioning riparian areas similar to those upstream and downstream of the impacted area. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, and changing the hydraulic regime.
20. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration area is constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
21. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report that includes photographic documentation shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of the restoration site.

With Findings:

1. This project is considered a Minor Project per NH Administrative Rule Wt 303.03(l), as impacts are less than 200 linear feet to a perennial stream.
2. In 2001, an application (file #2001-0284) was submitted to the Wetlands Bureau for this development project. More information was requested by the Bureau in a letter dated 7/5/01. Since that time, the owner has acquired two additional adjacent parcels of land that offer alternative routes of access to the property.
3. Currently, there is an existing road crossing in Dames Brook that has been used for gravel excavation on this lot; however, the crossing is deteriorated, undersized and possibly illegal (as DES finds no records on file for this crossing). The proposed plan is to construct an access road that crosses a smaller tributary (Kicking Horse Brook) and a scrub shrub wetland, and to remove the existing degraded crossing in Dames Brook, thus restoring the area.
4. The current proposal is to impact 2,320 square feet of jurisdictional area to construct an access road to a cluster subdivision with approximately 65 dwelling units in single family and duplex buildings on the 47.1 acres of land owned by the applicant. The property is comprised of 13.5 acres of wetlands/streams and 33.6 acres of upland.
5. To help mitigate the impacts of the proposed project, approximately 1,345 square feet (96 linear feet) within the bed and banks of Dames Brook will be restored by removing fill and culverts from a previously existing road crossing.
6. The Farmington Conservation Commission stated that through an oversight they did not request to intervene on the Wetland Bureau's review; however, in two letters (dated 7/1/02 & 3/5/03), they raised several issues that they felt needed to be addressed prior to a permit being issued. To summarize, specific concerns include potential impacts to flooding, fishery and wildlife, and the town 100-foot restrictive ordinance along Dames Brook. In addition, the commission stated that they felt the plan design was not the least impacting alternative and included a revised roadway layout.
7. According to the applicant's engineer (Norway Plains Associates, Inc.), the proposed crossing over Kicking Horse Brook will accommodate the 100-year storm flows with no impact to upstream properties.
8. In a letter dated 10/19/00, NHI stated that there are no known occurrences of sensitive species the project area.
9. The applicant's engineer considered three different access routes for the subdivision road and found the current proposal had the least amount of wetland impact. The current design considered wetland avoidance and minimization, town regulations, engineering criteria, storm water hydraulics, and the need to maintain existing lot U-9/18 as a conforming lot for the Farmington Zoning Ordinance.
10. The applicant's engineer evaluated the option proposed by the Farmington Conservation Commission and found that it would require substandard roadway geometry and would reduce the area of lot U-9/18 to below the minimum area required by the Farmington Zoning Ordinance.
11. Overall, DES finds that the project will not significantly impact the riparian/wetland systems of Kicking Horse Brook, and that the restoration plan will repair a higher value perennial stream area known as Dames Brook.

2002-01991 GABRIEL, LAURIE
JACKSON Unnamed Wetland

Requested Action:

Impact 17,745 square feet of palustrine forested wetland and a seasonal stream on a 30-acre lot to develop a homestead and accessory amenities. Impacts include filling approximately 3,931 square feet of wetland to construct a pool and tennis court, stumping and regrading 13,529 square feet of a forested wetland to create a wet meadow, impacting 159 square feet of the seasonal stream to install a waterline, and impacting (after-the-fact) approximately 126 square feet of the seasonal stream to install a bridge and stone protection.

Conservation Commission/Staff Comments:

*In a letter dated 3/28/02, NHI stated that there are no recorded occurrences of sensitive species near the project area.

*In a letter dated 9/10/02, The Jackson Conservation Commission stated that they wish to intervene to allow for further investigation.

Inspection Date: 05/09/2002 by Craig D Rennie

DENY PERMIT:

Impact 17,745 square feet of palustrine forested wetland and a seasonal stream on a 30-acre lot to develop a homestead and accessory amenities. Impacts include filling approximately 3,931 square feet of wetland to construct a pool and tennis court, stumping and regrading 13,529 square feet of a forested wetland to create a wet meadow, impacting 159 square feet of the seasonal stream to install a waterline, and impacting (after-the-fact) approximately 126 square feet of the seasonal stream to install a bridge and stone protection.

With Findings:

Standards for Approval:

1. This is a Minor Project per the NH Code of Administrative Rules Wt 303.03(h) & (l), alteration of less than 20,000 square feet of wetland and less than 200 linear feet of impact to an intermittent stream.
2. Approvals must be consistent with the findings of public purpose set forth by RSA 482-A:1.
3. The applicant must provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
4. According to Rule Wt 302.04(d)(1), the department shall not grant a permit if there are practicable alternatives that would have a less adverse impact on the area and environments under the department's jurisdiction
5. The applicant must demonstrate by plan and example that each of the factors listed in Wt 302.04(a), Requirements for Application Evaluation have been considered in the design of their project.
6. According to Rule Wt 302.04(d)(5), the department shall not grant a permit if the requirements of Rule Wt 302.03 are not met or where the applicant has failed to document consideration of factors as required in Rule Wt 302.04(a).

Findings of Fact:

7. A previous application (File #2001-2413) was submitted to the DES Wetlands Bureau on December 13, 2001 by Design Projects Inc, requesting 1,110 square feet of wetland impact to construct a driveway with three culverts in seasonal streams and drainages.
8. On April 3, 2002, DES approved the driveway permit and amended the approval on April 23, 2002 to include a utility line crossing.
9. DES inspected the property and met with the project consultants/contractors on May 9, 2002 and found the area cleared and the driveway installed.
10. On August 29, 2002, the current application (File #2002-1991) was submitted by BH Keith Associates requesting to fill 4,614 square feet of palustrine scrub-shrub wetland (previously forested) to construct a pool and tennis court.
11. On September 11, 2002, DES received a letter from the Jackson Conservation Commission stating that they wished to intervene on the application because of concerns of fill slopes that are being planned within a conservation easement area held by the Town on Jackson.
12. On September 16, 2002, a revised plan was submitted by BH Keith to include impacts for stumping and regrading 13,086 square feet of wetlands.
13. On October 31, 2002, a letter was submitted by Michael Dyer of Design Projects Inc. stating that a bridge had been

constructed within the seasonal stream without a permit and was the result of direct oversight from landscape architect John Wacker of John Wacker & Associates Inc.

14. In a phone conversation on December 10, 2002, DES requested to BH Keith Associates that all work cease and that a revised plan be submitted detailing all work that was completed prior to the permit being issued.

15. On February 18, 2003, BH Keith submitted a revised plan that requested an after-the-fact approval for 120 square feet of impact for bridge construction, and a reduction in permanent wetland fill from 4,614 square feet to 3,931 square feet as fill was removed from the conservation easement area. In addition, the request included increasing the stumping area in forested wetlands from 13,086 square feet to 13,528 square feet.

16. In a "Request for More Information" letter dated March 13, 2003, DES requested that the applicant include an additional application fee of \$662.84 and requested that the plans be revised to further avoid permanent wetland impacts as there are extensive uplands areas that could be used to construct the proposed pool and tennis court.

17. A revised plan was submitted by BH Keith Associates on April 7, 2003, which included an additional amendment of 150 square feet of impact within the seasonal stream for installation of a waterline, and to respond to the "Request for More Information" letter.

18. According to the revised plans, the proposed pool and tennis court layout does not avoid wetland areas to minimize permanent impacts. There appears to be less impacting alternatives to develop the proposed homestead as the parcel has extensive upland areas.

Findings in support of denial:

19. The applicant failed to provide example plans that show evidence of alternative locations of the proposed structures in designing the current proposal.

20. The applicant has not demonstrated by plan and example that the proposed design takes into consideration wetlands resources at the proposed site and minimizes the impact to those resources. Based on review of project plans, the lot could be developed with no permanent wetland impact by simply relocating the pool and tennis court to upland areas completely outside of the wetland resources.

21. The project is therefore denied per Rule Wt 302.04(d)(1) as there are practical alternatives that would have a less adverse impact on the area under the department's jurisdiction.

22. The project is denied per Rule Wt 302.04(d)(3) as the project causes unnecessary destruction of wetlands.

23. The project is denied per Rule Wt 302.04(d)(5) as the requirements of Wt 302.03 were not met and because the applicant failed to document factors as required in Wt 302.04(a).

2003-00207 RIVERSWOODS AT EXETER
EXETER Unnamed Wetland

Requested Action:

Fill 7,851 square feet of wetlands at five (5) locations for roadway access to buildable uplands where the construction of a continuing care retirement facility is proposed.

Inspection Date: 04/29/2003 by Christina Altimari

APPROVE PERMIT:

Fill 7,851 square feet of wetlands at five (5) locations for roadway access to buildable uplands where the construction of a continuing care retirement facility is proposed.

With Conditions:

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated December 11, 2002, with revisions dated January 24, 2003 (Sheet C-18), March 21, 2003 (Sheet C-5), and April 3, 2003 (Sheets C-6 and 6A), as received by the Department on January 31, 2003 and April 17, 2003.

2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.

4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

5. Final Conservation Easement Deed or Conservation Deed Restriction language shall be sent to DES for approximately 37 acres of the property as shown on the Easement Plan (Sheet C-1A) by Altus Engineering, Inc. dated March 28, 2003, as received by the Department on April 1, 2003.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a major project per Wt 303.02(k), projects in a wetland that have been identified by NH Natural Heritage Inventory (NHNHI) as an exemplary natural community, and/or documented occurrences of state or federally listed endangered or threatened species.
2. The locations of the access roadways are through the narrowest area of the wetlands.
3. The applicant has adequately demonstrated that the proposal must cross wetlands at some locations on this property to access buildable uplands and has thereby demonstrated need as required by Wt 302.01(b) and Wt 302.04(a)(1).
4. The applicant has adequately demonstrated avoidance and minimization as required by Wt 302.03 and Wt 302.04(a)(2), respectively, by limiting the wetlands impact to only those crossings necessary to access uplands for construction.
5. Once finalized, the Conservation Easement Deed or Conservation Restriction Deed assures approximately 37 acres of open space will be preserved in perpetuity from future development.
6. NH Natural Heritage Inventory (NHNHI) has record of one state endangered invertebrate species within the project vicinity, Brook Floater (*Alasmodonta varicosa*). Also, NHNHI has record of one natural community of special concern in the project vicinity, SNE Basin Swamp.
7. In October 2002, New Hampshire Soil Consultants (NHSC) performed habitat surveys to determine the presence of Brook Floaters and SNE Basin Swamps on the property. NHSC determined that because the property does not contain any perennial streams or rivers, that as a result, there are no Brook Floater habitat occurrences on the property.
8. NHSC delineated two previously undocumented SNE Basin Swamps within the property's boundaries.
9. DES field inspection finds that Impact Area #5 is proposed to cross the narrowest area of wetlands, and through the southern portion of the property's northeastern SNE Basin Swamp, impacting 1000 square feet. If the proposed crossing were to be relocated to the south, and outside of the SNE Basin Swamp, then the impact area would be approximately quadrupled. Therefore, the least impacting alternative is to cross the wetland at the proposed location, impacting 1000 square feet, and the narrowest area of the SNE Basin Swamp.
10. The proposed property is in the vicinity of, however not in the watershed of, or located on the Exeter River, a NH State Designated River.
11. This approval is consistent with other approvals in nontidal wetlands.

2003-00238 NH DEPT OF TRANSPORTATION
LEE Little River

Requested Action:

Construct a concrete invert in an 18 foot x 92 ft. multi-plate arch culvert, add cut off walls and wing walls impacting a total of 2,240 sq. ft. of river and banks (330 sq. ft. temporary).

APPROVE PERMIT:

Construct a concrete invert in an 18 foot x 92 ft. multi-plate arch culvert, add cut off walls and wing walls impacting a total of 2,240 sq. ft. of river and banks (330 sq. ft. temporary). NHDOT project #99048S.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance signed 1/31/03, as received by the Department on February 7, 2003.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the river exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam

is fully effective, confined work can proceed without restriction.

5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
16. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
17. Any work outside of the Right of Way shall be coordinated with the landowner prior to construction in those areas.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of banks of a stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2003-00338 CERSOSIMO INDUSTRIES INC
ANDOVER Unnamed Stream

Requested Action:

Dredge and fill approximately 4,075 square feet (591 square feet of temporary impacts) of riverine and palustrine forested wetlands, install a 36" x 16' culvert and dry hydrant for construction of a fire pond on Currier Rd.

Inspection Date: 03/26/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill approximately 4,075 square feet (591 square feet of temporary impacts) of riverine and palustrine forested wetlands, install a 36" x 16' culvert and dry hydrant for construction of a fire pond on Currier Rd.

With Conditions:

1. All work shall be in accordance with plans by RCS Designs dated April 10, 2003, as received by the Department on April 15, 2003.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow.
4. This permit is contingent upon the contractor submitting to DES for review and approval a plan and construction sequence for the containment and removal of dredged spoils offsite along Currier rd.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
8. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Culvert outlets shall be properly rip rapped.
15. Area shall be regraded to original contours following completion of work.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(e), construction of a fire pond with less than 20,000 sq ft of impacts.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on March 26, 2003. Field inspection determined limited opportunities for placement of a fire pond on site.
6. Site is approximately 2000 feet upstream of a prime wetland. There are numerous developed properties and roadway crossings between proposed fire pond and the prime wetland. Does not require a public hearing, not considered adjacent based on field/site inspection.
7. There are presently 19 homes along Currier road without a practical, maintainable means for fire protection and suppression.

2003-00397 NH FISH & GAME DEPARTMENT
ROCHESTER Baxter Lake

Requested Action:

Excavate 1680 sqft of material from the bank and lake bed to construct a public boat access facility to provide public access to Baxter Lake, Rochester.

APPROVE PERMIT:

Excavate 1680 sqft of material from the bank and lake bed to construct a public boat access facility to provide public access to

Baxter Lake, Rochester.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Fish and Game dated April 14, 1999, as received by the Department on March 4, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during draw down.
4. Appropriate siltation/erosion/turbidity controls, including a turbidity curtain, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Upland and bank areas landward of the boat ramp shall not be disturbed by regrading or filling, to minimize the potential for erosion of materials into Baxter Lake.
6. There shall be no cutting of trees or removal of any stumps from the bank except for the area within which construction of the ramp will take place.
7. The ramp approach shall be crowned so that drainage is directed away from the slope of the ramp.
8. Applicant shall be responsible for the following:
 - a. providing a handicapped parking spot,
 - b. providing a kiosk where state and local agencies can post notices, or rules and restrictions regarding responsible boating and environmental practices.
9. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee.
10. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
11. The boat ramp shall be utilized indefinitely as a public access to Baxter Lake and shall not change in use.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The New Hampshire Fish and Game Department has been given the authority to install public access to public waters under RSA 233-A.

2003-00510 RANDOLPH, TOWN OF
RANDOLPH Moose River

Requested Action:

Dredge 1,800 square feet (67 cubic yards of coarse woody debris) from a man-made swimming impoundment in the dry along the Moose River, and temporarily impact and restore 600 square feet of beach and emergent wetland for construction access.

Conservation Commission/Staff Comments:

The Randolph Conservation Commission signed this Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge 1,800 square feet (67 cubic yards of coarse woody debris) from a man-made swimming impoundment in the dry along the Moose River, and temporarily impact and restore 600 square feet of beach and emergent wetland for construction access.

With Conditions:

1. All work shall be in accordance with plans by Watershed to Wildlife, Inc. revised April 24, 2003, as received by the Department on April 24, 2003, and Construction Sequence by Watershed to Wildlife, Inc. dated March 14, 2003, as received by the Department

on March 24, 2003.

2. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
3. Work shall be done in the dry.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. No more than 67 cu. yds. of coarse woody debris shall be removed. Only the accumulated woody debris shall be removed, not any of the underlying soil.
8. This permit shall be used only once, and does not allow for annual dredge.
9. The temporary access area shall be regraded to original contours, seeded, and mulched within 3 business days of the completion of work.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(k), maintenance dredge of a seasonally dammed swimming impoundment area to provide continued usefulness.
2. The application proposes to use the dredged woody debris to stabilize slopes adjacent to an emergency spillway located approximately 50 feet east of the impoundment area, across a dirt road. No work is proposed in the jurisdictional channel of the spillway.

2003-00622 HAMPTON, TOWN OF
HAMPTON Unnamed Wetland

Requested Action:

Temporarily impact 10,750 square feet of tidal buffer zone for the removal of existing pavement within the tidal buffer zone to be regarded and vegetated. Permanently impact 18,250 square feet of tidal buffer zone for the construction of a new police headquarters, a 1,500 square foot vehicle garage, a 128 square foot concrete slab for the installation of a telecommunications tower, resurfacing of associated parking areas, and the installation of vegetated treatment swales along the perimeter of the property for stormwater runoff. Temporary and permanent impacts for the proposed project total 29,000 square feet within the tidal buffer zone.

Inspection Date: 04/17/2003 by Christina Altamari

APPROVE PERMIT:

Temporarily impact 10,750 square feet of tidal buffer zone for the removal of existing pavement within the tidal buffer zone to be regarded and vegetated. Permanently impact 18,250 square feet of tidal buffer zone for the construction of a new police headquarters, a 1,500 square foot vehicle garage, a 128 square foot concrete slab for the installation of a telecommunications tower, resurfacing of associated parking areas, and the installation of vegetated treatment swales along the perimeter of the property for stormwater runoff. Temporary and permanent impacts for the proposed project total 29,000 square feet within the tidal buffer zone.

With Conditions:

1. All work shall be in accordance with plans by Kimball Chase dated April 4, 2003, with revisions dated April 21, 2003, as received by the Department on April 23, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. This permit is contingent on approval by the DES Site Specific Program.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment into the adjacent saltmarsh.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
7. All areas in the tidal buffer zone where existing pavement is removed are to be regarded and vegetated before the completion of work.

8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to the saltmarsh or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(b), projects within 50 feet of the saltmarsh.
2. Per Wt 302.01(c) and 302.04(a)(1), the need for the proposed impacts have been demonstrated, as the proposed project will provide updated emergency services that will directly benefit the health, safety, and well-being of the community.
3. Per Wt 302.03 and Wt 302.04(a)(2), the above-listed project description provides a reduction in the overall impermeable surface area on the property, provides on-site treatment for stormwater runoff, and therefore is the alternative with the least adverse impact to areas and environments under the DES jurisdiction.
4. The NH Natural Heritage Inventory (NHNHI) has record of one natural community of special concern within the project vicinity, Gulf of Maine Salt Marsh.
5. DES finds that the Gulf of Maine Salt Marsh will not be negatively impacted as a result of the project, as there will not be any work in within the saltmarsh itself. All work will take place landward of the highest observable tide line, and will provide improvements to stormwater treatment in the area adjacent to the saltmarsh.
6. All permanent impacts, with the exception of the 128 square foot concrete slab, will take place landward of the 50-foot reference line, as required by the Comprehensive Shoreland Protection Act.
7. The 128 square foot concrete slab exists 42 feet landward of the highest observable tide line, is in a fully developed area, and is considered an accessory structure by the Comprehensive Shoreland Protection Act.
8. This approval is consistent with other approvals in developed tidal buffer zone areas.

2003-00643 OGILVIE, WILLIAM & FRANCES
HAMPTON Tidal Buffer Zone

Requested Action:

Permanently impact 171 square feet within the tidal buffer zone for the construction of a three-season porch and the planting of three (3) Bayberry (*Myrica pennsylvanica*) bushes along the southern perimeter of the property. Temporarily impact 412 square feet of tidal buffer zone to provide a work area for the construction of the three-season porch. Temporary and permanent impacts for the proposed project total 583 square feet within the tidal buffer zone.

APPROVE PERMIT:

Permanently impact 171 square feet within the tidal buffer zone for the construction of a three-season porch and the planting of three (3) Bayberry (*Myrica pennsylvanica*) bushes along the southern perimeter of the property. Temporarily impact 412 square feet of tidal buffer zone to provide a work area for the construction of the three-season porch. Temporary and permanent impacts for the proposed project total 583 square feet within the tidal buffer zone.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Soil Consultants, Inc. dated March 2003, as received by the Department on April 11, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
5. All temporary work areas in the tidal buffer zone shall be regarded and stabilized by seeding and mulching prior to the completion of work.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(b), projects within 50 feet of the salt marsh.
2. The NH Natural Heritage Inventory (NHNHI) has record of one natural community of special concern within the project

vicinity, Gulf of Maine Salt Marsh.

3. DES finds that the Gulf of Maine Salt Marsh will not be negatively impacted as a result of the project, as there will not be any work in within the saltmarsh itself. All work will take place on northern side of an existing retaining wall on the property, therefore resulting in no additional impacts to the salt marsh.

4. As required by the Comprehensive Shoreland Protection Act for nonconforming lots of record, the applicant has proposed to increase the vegetative buffer on the property by planting three (3) Bayberry (*Myrica pennsylvanica*) bushes along the southern perimeter of the property.

5. This approval is consistent with other approvals within 50 feet of the salt marsh, and within developed tidal buffer zone areas.

MINIMUM IMPACT PROJECT

2002-02099 DAVIDSEN, JOEL & KENDRA
SWANZEY Swanzey Lake

Requested Action:

Repair in kind existing 10 ft x 20 ft seasonal wharf connected to an existing 4 ft x 24 ft seasonal pier on an average of 99 ft of frontage on Swanzey Lake.

Conservation Commission/Staff Comments:

After the Fact permit

Con. Com. signed

APPROVE PERMIT:

Repair in kind existing 10 ft x 20 ft seasonal wharf connected to an existing 4 ft x 24 ft seasonal pier on an average of 99 ft of frontage on Swanzey Lake.

With Conditions:

1. All work shall be in accordance with plans by Joel Davidsen dated August 30, 2002, as received by the Department on September 23, 2002.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Seasonal piers shall be removed for the non-boating season.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
10. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2003-00282 STOKOE 1997 TRUST, BARBARA
ALEXANDRIA Newfound Lake

Requested Action:

Install two 9 ft x 12 ft seasonal boatlifts on either side of an existing 6 ft x 30 ft seasonal dock attached to an existing 6 ft x 44 ft deck on an average of 110 ft of frontage on Newfound Lake.

APPROVE PERMIT:

Install two 9 ft x 12 ft seasonal boatlifts on either side of an existing 6 ft x 30 ft seasonal dock attached to an existing 6 ft x 44 ft deck on an average of 110 ft of frontage on Newfound Lake.

With Conditions:

1. All work shall be in accordance with plans by French Land Services, Inc. revised March 3, 2003, as received by the Department on April 29, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. The seasonal boat lifts shall be removed during the non-boating season.
8. The seasonal boat lifts shall be located entirely within legally existing boat slips.
9. This permit does not allow for dredging.
10. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), modification of an existing seasonal pier by installing two seasonal boat lifts in the existing slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-00402 HARE 1984 TRUST, DOROTHY
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair in kind existing 50 ft breakwater with a 4 ft x 45 ft cantilevered pier by resetting 5 fallen rocks on an average of 430 ft of frontage on Far Ozone Island, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Locus on USGS map doesn't match tax map. GIS review is based on tax map locus.

Con. Com. had no objections to project.

APPROVE PERMIT:

Repair in kind existing 50 ft breakwater with a 4 ft x 45 ft cantilevered pier by resetting 5 fallen rocks on an average of 430 ft of frontage on Far Ozone Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Peter Hare, filed by Watermark Marine Construction, as received by the Department on March 5, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
6. This permit does not allow for dredging.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Repair shall maintain existing size, location and configuration.
10. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2003-00659 POLLONO, JOHN
NORTHWOOD Harvey Lake

Requested Action:

Install a 4 ft x 24 ft seasonal dock on an average of 50 ft of frontage on Harvey Lake.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Install a 4 ft x 24 ft seasonal dock on an average of 50 ft of frontage on Harvey Lake.

With Conditions:

1. All work shall be in accordance with plans by John Pollono dated April 1, 2003, as received by the Department on April 15, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Seasonal piers shall be removed for the non-boating season.
8. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal pier.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2003-00353 TIMBERSTAND INVESTMENT
BRADFORD Unnamed Stream

COMPLETE NOTIFICATION:
Bradford Tax Map 5, Lot# 7

2003-00691 PUBLIC SERVICE OF NH
HILLSBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Hillsboro Tax Map 10, Lot# 5

2003-00692 MARTIN, WENDY
RINDGE Unnamed Stream

COMPLETE NOTIFICATION:
Rindge Tax Map 8, Lot# 16

2003-00703 MAHLER, THELMA
BRADFORD Unnamed Stream

COMPLETE NOTIFICATION:

Bradford Tax Map 3, Lot# 14

**2003-00708 PALMER, JOHN
FARMINGTON**

COMPLETE NOTIFICATION:
Farmington Tax Map R8, Lot# 1

**2003-00724 HIGH-FOREST PARTNERS, LLC
CHESTERFIELD Unnamed Stream**

COMPLETE NOTIFICATION:
Chesterfield Tax Map 25, Lot# 3

**2003-00746 GILLESPIE, BRETT & STEPHANIE
NOTTINGHAM Unnamed Stream**

COMPLETE NOTIFICATION:
Nottingham Tax Map 3, Lot# 6

**2003-00747 GRANITE STATE CONCRETE CO INC
LYNDEBOROUGH Unnamed Stream**

COMPLETE NOTIFICATION:
Lyndeboro Tax Map 1, Lot# 67

**2003-00748 THE RAED HERTEL FAMILY TRUST
ALTON Unnamed Stream**

COMPLETE NOTIFICATION:
Alton Tax Map 17, Lot# 10-4

EXPEDITED MINIMUM

**2002-01893 SERBENT, JANE
STODDARD Hidden Lake**

Requested Action:
Replace failing drop inlet, basin and pipe spillway within an earth embankment dam.

APPROVE PERMIT:
Replace failing drop inlet, basin and pipe spillway within an earth embankment dam.

With Conditions:

1. All work shall be in accordance with plans by HTE Northeast Inc. dated June 29, 2002 (last revised August 15, 2002, as received by the Department on August 26, 2002 with amended erosion control notes as specified in Amendment 1 dated April 7, 2003.
2. Technical notes 1B, 2 3, 4, and 11 of sheet 3 of 3 shall be amended (supplemented) as specified in amendment #1 dated April 7, 2003, as received by the Department on April 10, 2003.
3. This permit is contingent on approval by the DES Dam Safety Program.
4. Repair/replacement work shall be done in the dry following drawdown.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. This permit does not authorize any work within surface waters or placement of machinery within surface waters.
7. Sandbag cofferdams shall be removed immediately following completion of work.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Downstream turbidity shall not exceed 10 NTU above background.

2002-02199 MITCHELL, ROBYN
HILLSBOROUGH Unnamed Wetland

Requested Action:

Amend permit after-the-fact to relocate driveway to a different location on the lot and change name to Robyn Mitchell (PO Box 536 Antrim, NH 03440).

APPROVE AMENDMENT:

Change name to Robyn Mitchell and amend permit to read as follows: Fill 410 sq. ft. of forested wetland and install a 12" x 25' culvert to provide driveway access to a single family building lot and restore 660 sq. ft. of temporarily impacted wetland.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated September 23, 2002, as amended by Robyn Mitchell on April 29, 2003 as received by the Department on April 29, 2003.
2. The permanent wetland impacts for driveway construction shall be staked in the field to prevent additional wetlands impacts.
3. Proper headwalls shall be constructed within seven days of culvert installation.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The applicant shall contact the bureau prior to commencement of work.
7. Temporarily disturbed wetland areas shall be regraded to original contours and seeded with a New England wetland seed mix by June 1, 2003.
8. Photographs showing compliance with condition #7 shall be submitted to the Department by June 15, 2003.
9. Wetland restoration area shall have at least 75% successful establishment of wetlands vegetation by September 30, 2003 or it shall be replanted and re-established until a functional wetland is restored in a manner satisfactory to the DES Wetlands Bureau.
10. Photographs showing compliance with condition #9 shall be submitted to the Department by September 30, 2003.
11. Failure to restore temporary wetland impacts as approved and conditioned may result in additional compliance actions being taken against both the owner and the contractor. Such compliance actions may involve imposition of administrative fines and/or additional restoration actions.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq. ft. of impact to a

forested wetland.

2. The driveway location as proposed in this amendment does not result in significantly more wetland impact than the original permit.

2003-00258

CHICHESTER BEAR HILL REALTY, JOAN OSBORNE TTEE

CHICHESTER Unnamed Wetland

Requested Action:

Dredge and fill 2,180 square feet of forested wetland to install two 15 inch diameter by 28 foot culverts and associated fill for vehicular access to a single family building lot.

Conservation Commission/Staff Comments:

The Chichester Conservation Commission signed this minimum impact expedited application.

APPROVE PERMIT:

Dredge and fill 2,180 square feet of forested wetland to install two 15 inch diameter by 28 foot culverts and associated fill for vehicular access to a single family building lot.

With Conditions:

1. All work shall be in accordance with plans by Carl Sherblom, Sunset Hill Design dated January 10, 2003, last revised April 8, 2003, as received by the Department on April 16, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
4. No fill shall be done for lot development.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work shall be done during low flow.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence must be removed once the area is stabilized.
8. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill for vehicular access to a single family building lot.
2. The applicant offered several alternative designs for this project. Although the approved plan does not have the least square footage of impact it is the least impacting alternative because drainage will be maintained through two culverts instead of one.

2003-00414

MULLIGAN, JERIMIAH

WAKEFIELD Unnamed Wetland

Requested Action:

Dredge and fill 704 square feet of two seasonal drainage channels and associated forested wetland to install one 30 foot x 24 inch diameter CMP culvert and one 30 foot x 18 inch diameter CMP culvert and associated fill for vehicular access to a single family

building lot.

Conservation Commission/Staff Comments:

The Wakefield Conservation Commission signed this Minimum Impact Expedited Permit application.

APPROVE PERMIT:

Dredge and fill 704 square feet of two seasonal drainage channels and associated forested wetland to install one 30 foot x 24 inch diameter CMP culvert and one 30 foot x 18 inch diameter CMP culvert and associated fill for vehicular access to a single family building lot.

With Conditions:

1. All work shall be in accordance with plans by Bruce L. Pohopek dated February 6, 2003, as received by the Department on March 7, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
4. No fill shall be done for lot development.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work shall be done during low flow.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence must be removed once the area is stabilized.
8. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of culverts and associated fill for vehicular access to a single family building lot.
2. In a letter dated April 7, 2003, as received by the Department on April 16, 2003, the applicant's consultant stated the driveway could not be located at the narrowest part of the seasonal drainage because of steep slopes and safety concerns.
3. A review of the Natural Heritage Inventory database indicates that there is a state endangered/federally threatened plant species approximately 800 meters north of the project area. Since the road, the topography, and approximately 800 meters separates the project area from this species, the project is unlikely to have any impacts on this species.

2003-00552 THE GUTIERREZ COMPANY
MERRIMACK Pennichuck River

Requested Action:

Dredge and fill 180 square feet of forested floodplain wetland adjacent to Pennichuck Brook to construct a headwall and rip-rap outfall for a 36 inch diameter RCP, part of a stormwater facility servicing two office buildings and their associated parking.

Conservation Commission/Staff Comments:

The Merrimack Conservation Commission signed this minimum impact expedited permit application.

APPROVE PERMIT:

Dredge and fill 180 square feet of forested floodplain wetland adjacent to Pennichuck Brook to construct a headwall and rip-rap outfall for a 36 inch diameter RCP, part of a stormwater facility servicing two office buildings and their associated parking.

With Conditions:

1. All work shall be in accordance with plans by Allan H. Swanson, Inc. dated November 24, 1987, last revised July 14, 1997, as received by the Department on April 1, 2003.
2. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
3. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence must be removed once the area is stabilized.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlet shall be properly rip rapped.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.034 (f), alteration of less than 3,000 square feet of forested floodplain wetland.
2. This project was previously approved by the DES Wetlands Bureau on August 15, 1997, and on March 1, 1988. The previous wetlands permits have expired.
3. A review of the Natural Heritage Inventory database indicated that a species of concern is located proximate to the project area. N.H. Fish and Game reviewed the project and determined that it would not impact the species.

2003-00600 COSTAS, NICK
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Amend permit 2003-00600 issued on April 23, 2003 to increase length of seasonal dock by 5 ft for a total of 40 ft.

Conservation Commission/Staff Comments:

Con. Com. signed application

APPROVE AMENDMENT:

Amend permit to read:

Permanently remove existing 4 ft x 24 ft seasonal pier connected to a 8 ft x 12 ft seasonal deck, and install a 6 ft x 40 ft hinged seasonal dock on an average of 100 ft of frontage on Salmon Meadow Cove, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Docks Unlimited dated April 23, 2003, as received by the Department on April 23, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Seasonal piers shall be removed for the non-boating season.
9. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal pier.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-00601 SALEM, TOWN OF
SALEM Unnamed Wetland

Requested Action:

Temporarily dredge and fill and restore 2,600 square feet of forested wetlands within a town right-of-way to install 100 feet of 10-inch diameter PVC sanitary sewer pipe for municipal sewer service.

Conservation Commission/Staff Comments:

The Salem Conservation Commission signed this Minimum Impact Expedited permit application.

APPROVE PERMIT:

Temporarily dredge and fill and restore 2,600 square feet of forested wetlands within a town right-of-way to install 100 feet of 10-inch diameter PVC sanitary sewer pipe for municipal sewer service.

With Conditions:

1. All work shall be in accordance with plans by SEA Consultants, Inc. dated February 2003, as received by the Department on April 7, 2003.
2. Work shall be done during low flow.
3. Orange construction fencing shall be placed at the limits of construction prior to construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence must be removed once the area is stabilized.
5. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
6. Dredged material not used for restoration of the wetlands shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
7. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

9. The temporary impact area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), temporary alteration of less than 3,000 square feet of forested wetland for the installation of a sewer line.
2. A review of the Natural Heritage Inventory database indicated that there is a species of concern proximate to the project area. Natural Heritage reviewed the project and determined that it would not impact the species.

2003-00682 SUNCREST TRUST, C/O RICHARD PIERCE
WOLFEBORO Lake Winnepesaukee

Requested Action:

Install a 6 ft x 40 ft hinged seasonal dock attached to a 5 ft x 3 ft concrete pad recessed into the bank on an average of 118 ft of frontage on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Install a 6 ft x 40 ft hinged seasonal dock attached to a 5 ft x 3 ft concrete pad recessed into the bank on an average of 118 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Richard Pierce, as received by the Department on April 18, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Seasonal piers shall be removed for the non-boating season.
9. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal pier with no more than 2 boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-00684 DENNISON, WEBSTER AND PRICILLA
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Install a 14 ft x 30 ft seasonal canopy over the center slip on an existing "U-shaped" piling supported structure with two 4 ft x 30 ft piling supported piers connected by a 4 ft x 12 ft wharf accessed by a 4 ft x 18 ft walkway on an average of 161 ft of frontage on Long Island, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. signed application

APPROVE PERMIT:

Install a 14 ft x 30 ft seasonal canopy over the center slip on an existing "U-shaped" piling supported structure with two 4 ft x 30 ft piling supported piers connected by a 4 ft x 12 ft wharf accessed by a 4 ft x 18 ft walkway on an average of 161 ft of frontage on Long Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Webster Dennison, as received by the Department on April 18, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Canopies shall be of flexible fabric and shall be removed for the non-boating season.
8. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), modification of an existing seasonal pier by installing a seasonal canopy.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-00686 FETTEROLF, PETER
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Construct a 6 ft x 3 ft concrete pad recessed into the bank hinged to an existing 6 ft x 40 ft seasonal pier on an average of 228 ft of frontage on Ash Cove, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. signed application.

already received a notification for a 6 ft x 40 ft seasonal dock. This application is just for a 6 ft x 3 ft concrete pad.

APPROVE PERMIT:

Construct a 6 ft x 3 ft concrete pad recessed into the bank hinged to an existing 6 ft x 40 ft seasonal pier on an average of 228 ft of frontage on Ash Cove, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Robert Coppo dated March 17, 2003, as received by the Department on April 18, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Seasonal piers shall be removed for the non-boating season.
9. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(m), projects that disturb less than 50 linear ft along the shoreline.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-00687

SOUNDINGS AT KONA COVE INC, C/O RUDY STEINSKY

MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Replace in kind 8 support pilings associated with an existing 40 slip docking facility accessed by a 6 ft x 92 ft walkway on an average of 50 ft of frontage on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Replace in kind 8 support pilings associated with an existing 40 slip docking facility accessed by a 6 ft x 92 ft walkway on an average of 50 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated February 26, 2003, as received by the Department on April 18, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. Removed pilings shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
11. This permit does not allow for dredging.
12. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2003-00700 MONAHAN, ALFRED
SUNAPEE Lake Sunapee

Requested Action:

Repair in kind two 10 ft x 12 ft outer cribs and one 5 ft x 12 ft center crib supporting an existing 44 ft 4 in x 43 ft 10 in boathouse on an average of 320 ft of frontage on Lake Sunapee.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Repair in kind two 10 ft x 12 ft outer cribs and one 5 ft x 12 ft center crib supporting an existing 44 ft 4 in x 43 ft 10 in boathouse on an average of 320 ft of frontage on Lake Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Dennis Booth Docks Plus, as received by the Department on April 21, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
6. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
7. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
8. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
10. Repair shall maintain existing size, location and configuration.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2003-00707 WILSON, JAY & GABI
NEW LONDON Lake Sunapee

Requested Action:

Install two 9 ft x 11 ft seasonal boat lifts covered by two 9 ft 6 in x 11 ft seasonal canopies in the existing slips of the existing 6 ft x 40 ft seasonal dock on an average of 155 ft of frontage on Herrick Cove, Lake Sunapee.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Install two 9 ft x 11 ft seasonal boat lifts covered by two 9 ft 6 in x 11 ft seasonal canopies in the existing slips of the existing 6 ft x 40 ft seasonal dock on an average of 155 ft of frontage on Herrick Cove, Lake Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Pellettieri Associates, Inc. dated April 8, 2003, as received by the Department on April 22, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Seasonal boat lifts shall be removed for the non-boating season.
9. Seasonal boat lifts shall be located completely within boat slips provided by legally existing docking facilities.
10. Canopies shall be of flexible fabric and shall be removed for the non-boating season.
11. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), modification of an existing seasonal docking structure by adding two seasonal boat lifts with canopies.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-00734 MALLAMAN, CAROLYN
LACONIA Lake Winnepesaukee

Requested Action:

Excavate 195 sq ft to construct a 12 ft x 12 ft perched beach, utilizing 5 cu yds of sand, surrounded by 36 linear ft of stone wall, with four 1 ft x 4 ft stone stairs recessed into the bank accessing the water on an average of 60 ft of frontage on Paugus Bay, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Excavate 195 sq ft to construct a 12 ft x 12 ft perched beach, utilizing 5 cu yds of sand, surrounded by 36 linear ft of stone wall, with four 1 ft x 4 ft stone stairs recessed into the bank accessing the water on an average of 60 ft of frontage on Paugus Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Docks Unlimited, as received by the Department on April 25, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall

remain otherwise undisturbed such that the natural shoreline remains identifiable.

6. The steps installed for access to the water shall be located completely landward of the normal high water line.
7. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The applicant shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), construction of a perched beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2003-00765 KIMBERLIN, BONNIE
(ALL TOWNS) Unnamed Stream

2003-00767 ATOMANUK JR, JAMES
(ALL TOWNS) Unnamed Stream

TRAILS NOTIFICATION

2003-00739 PRAY, DONALD/CELIA
MADISON Unnamed Stream

Conservation Commission/Staff Comments:

USGS map is not at a useable scale. Digitized from previous file.

COMPLETE NOTIFICATION:

Madison Tax Map 9, Lot# 3

SEASONAL DOCK NOTIFICATIO

2003-00738 BLACKKEY, ELIZABETH
SILVER LAKE Silver Lake

COMPLETE NOTIFICATION:
Silver Lake Tax Map 31, Lot# 4 Silver Lake

2003-00770 SOKOLENKO, DIMITRI
MOULTONBOROUGH Lake Winnepesaukee

COMPLETE NOTIFICATION:
Moultonboro Tax Map 32 Lot# 134 Lake Winnepesaukee

2003-00771 GILMORE, CHARLES & PRISCILLA
JAFFREY Gilmore Pond

COMPLETE NOTIFICATION:
Jaffrey Tax Map 266, Lot# 18 Gilmore pond

2003-00773 KAMINSKI, NICHOLAS
FRANKLIN Pemigewasset River

COMPLETE NOTIFICATION:
Franklin Tax Map 113, Lot# 36 Pemmi River